

17198. Misbranding of black pepper. U. S. v. 3 Cases \* \* \*. (F. D. C. No. 30389. Sample Nos. 80060-K, 5231-L.)

**LIBEL FILED:** January 22, 1951, District of Maine.

**ALLEGED SHIPMENT:** On or about December 14, 1950, by the Whitehall Food Mfg. Corp., from New York, N. Y.

**PRODUCT:** 3 cases, each containing 72 glass shakers, of black pepper at Portland, Maine.

**LABEL, IN PART:** "Pure Black Pepper Maison Royal Brand Cont. 11/16 oz. Dist. Food Trading Corp. of Am. N. Y."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight).

**DISPOSITION:** April 20, 1951. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be delivered to a charitable institution.

17199. Adulteration and misbranding of piccalilli peppers. U. S. v. 22 Cases \* \* \*. (F. D. C. No. 30381. Sample No. 81777-K.)

**LIBEL FILED:** January 11, 1951, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 22, 1950, by Uddo & Taormina Co., from Vineland, N. J.

**PRODUCT:** 22 cases, each containing 24 jars, of piccalilli peppers at Philadelphia, Pa.

**LABEL, IN PART:** (Jar) "Il Primo Brand Piccalilli Peppers Contents 7½ Fluid Ozs."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots, and of a decomposed substance by reason of the presence of rotten pepper pieces.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 7½ Fluid Ozs." was inaccurate (the article was short volume), and the weight should have been declared in terms of avoirdupois ounces rather than fluid ounces.

**DISPOSITION:** March 28, 1951. The shipper of the product having advised that he would not interpose any defense to the action, judgment of condemnation was entered and the court ordered that the product be destroyed.

17200. Adulteration of pizza sauce. U. S. v. 8 Cases \* \* \*. (F. D. C. No. 30379. Sample No. 81773-K.)

**LIBEL FILED:** January 10, 1951, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 20, 1950, by the Violet Packing Co., from Williamstown, N. J.

**PRODUCT:** 8 cases, each containing 6 6-pound, 6-ounce cans, of pizza sauce at Philadelphia, Pa.

**LABEL, IN PART:** (Can) "Violet Brand Sauce \* \* \* For Pizza or Spaghetti."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots.

**DISPOSITION:** April 4, 1951. Default decree of condemnation and destruction.